

UNITED STATES BANKRUPTCY COURT  
DISTRICT OF NEW JERSEY

Caption in Compliance with D.N.J. LBR 9004-1(b)

Denise Carlon, Esquire  
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MidFirst Bank

In Re:  
Josue D. Rivas-Torres, debtor  
Johnny Gamez, co-debtor



Order Filed on February 22, 2023  
by Clerk  
U.S. Bankruptcy Court  
District of New Jersey

Case No.: 22-11979 VFP

Adv. No.:

Hearing Date: 12/21/2016 @ 10:30 a.m..

Judge: Vincent F. Papalia

**ORDER CURING POST-PETITION ARREARS & RESOLVING MOTION FOR  
RELIEF FROM STAY**

The relief set forth on the following pages, numbered two (2) through two (2) is hereby  
**ORDERED.**

**DATED: February 22, 2023**

  
\_\_\_\_\_  
Honorable Vincent F. Papalia  
United States Bankruptcy Judge

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Debtor: Josue D. Rivas-Torres & Johnny Gamez

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Caption of Order: ORDER CURING POST-PETITION ARREARS AND RESOLVING MOTION FOR RELIEF FROM STAY

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This matter having been brought before the Court by KML Law Group, P.C., attorneys for Secured Creditor, MidFirst Bank, Denise Carlon appearing, upon a motion to vacate the automatic stay as to real property located at 1210 43rd Street, North Bergen NJ 07047, and it appearing that notice of said motion was properly served upon all parties concerned, and this Court having considered the representations of attorneys for Secured Creditor and Russell L. Low, Esquire, attorney for Debtor, and for good cause having been shown

It is **ORDERED, ADJUDGED and DECREED** that as of February 1, 2023, Debtor is in arrears outside of the Chapter 13 Plan to Secured Creditor for payments due April 2022 through January 2023 for a total post-petition default of \$31,751.86 (4 @ \$3,170.77; 6 @ \$3,178.13); and

It is further **ORDERED, ADJUDGED and DECREED** that the balance of the arrears in the amount of \$31,751.86 shall be added to the affidavit of amount due and paid through Debtor's Chapter 13 plan; and

It is **ORDERED, ADJUDGED and DECREED** the debtor will file a modified plan within twenty one days of the entry of this order; and

It is further **ORDERED, ADJUDGED and DECREED** that regular mortgage payments are to resume February 1, 2023, directly to Secured Creditor's servicer, MidFirst Bank, 999 NorthWest Grand Blvd Oklahoma City, OK 73118 (Note: the amount of the monthly mortgage payment is subject to change according to the terms of the note and mortgage); and

It is further **ORDERED, ADJUDGED and DECREED** that for the Duration of Debtor's Chapter 13 bankruptcy proceeding, if any of the cure payments or regular monthly mortgage payments are not made within thirty (30) days of the date said payment is due, Secured Creditor may obtain an Order Vacating Automatic Stay as to Real Property by submitting a Certification of Default to the Court indicating such payment is more than thirty days late, and Debtors shall have fourteen days to respond; and

It is further **ORDERED, ADJUDGED and DECREED** that a copy of any such application, supporting certification, and proposed Order must be served on the Trustee, Debtor, and Debtor's counsel at the time of submission to the Court; and

It is further **ORDERED, ADJUDGED and DECREED** that Secured Creditor is hereby awarded reimbursement of fees and costs in the sum of \$350.00 for attorneys' fees and \$188.00 for filing fees, totaling \$538.00, which is to be paid through Debtors' Chapter 13 plan and the motion is hereby resolved.